UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,220	03/30/2004	Aravind Yalamanchi	50277-2415	7098

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EXAMINER
STEVENS, ROBERT

ART UNIT	PAPER NUMBER
2162	

MAIL DATE	DELIVERY MODE
06/06/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Advisory Action ***Before the Filing of an Appeal Brief***	*10/815,220*	YALAMANCHI, ARAVIND
	Examiner	Art Unit	
	ROBERT STEVENS	2162	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>22 May 2008</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: *1-41*.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☒ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). <u>20080522</u>

13. ☐ Other: _____.

/Cam Y Truong/
Primary Examiner, Art Unit 2162

Continuation of 11. does NOT place the application in condition for allowance because:

The art listed in the Information Disclosure Statement (IDS) filed 5/22/2008 was not considered. Prosecution was closed with the mailing of the Final Rejection, and further search and/or consideration would be required to consider the IDS at this point, as possible new issues may be created.

Regarding independent claim 1, Applicant argues on pages 1-7 that the cited references do not teach the recited claim language. Specifically, Applicant argues on page 5 that the Barrett reference does not teach "receiving an expression that identifies an event structure, a first set of one or more conditions related to said event structure, and one or more action preferences in association with said event structure", because: 1) data structures are not expressions; and, 2) the Barrett data structures do not identify "an event structure, a first set of one or more conditions related to the event structure, and one or more action preferences in association with the event structure". The Barrett reference is impugned on page 6 for purportedly not describing a rule structure containing location, address, type, and size information.
The Office respectfully disagrees, noting that the references as a whole teach the claimed subject matter. First, it is noted that Applicant's claim language associates an expression associated with an EVENT STRUCTURE. Whether or not an "expression" and "data structure" are equivalent is irrelevant for the purposes of analysis under an obviousness standard. Applicant's own language associates an expression and an event (data) structure. A data structure is clearly suggested by an "event structure". Furthermore, the term "expression" is broad. It is reasonable to interpret an "expression" as merely a variable name, for example. It was, at the time of Applicant's subject matter, a common programming practice to name variables (and data structures). Thus the term "expression" is, at least, suggestive of a data structure.
Second, it is noted that Applicant's objection to the Barrett reference as not teaching a rule structure containing location, address, type, and size information is not relevant because the claim language does not recite such a requirement. Barrett suggests identification of an event via the use of an event library, because in order to locate any event stored in the library a comparison of some attribute must be performed.

Regarding claim 2, Applicant argues on pages 7-8 that: 1) the claim is allowable for the reasons argued regarding claim 1; and, 2) Kumar does not disclose the use of events as object types.
The Office respectfully disagrees, noting that the references as a whole teach the claimed subject matter. First, the Office re-asserts the counter-arguments set forth above, regarding claim 1. Second, Kumar shows the XML code for an XML object, including values for an instantiated object, and therefore does suggest the claim as recited.

Regarding claim 3, Applicant argues on pages 8-9 that: 1) the claim is allowable for the reasons argued regarding claim 1; and, 2) Kumar does not teach the use of composite event structures.
The Office respectfully disagrees, noting that the references as a whole teach the claimed subject matter. First, the Office re-asserts the counter-arguments set forth above, regarding claim 1. Second, the Event Specification GUI shown in Figure 11 of Kumar shows an option for creating a composite event, and therefore suggests the claimed use of composite events.

Regarding claim 7, Applicant argues on page 9 that: 1) the claim is allowable for the reasons argued regarding claim 1; and, 2) the Barrett reference does not teach the recited claim language because Barrett neither teaches stored data representing event occurrences, nor event structures derived from structures of tables in a database.
The Office respectfully disagrees, noting that the references as a whole teach the claimed subject matter. First, the Office re-asserts the counter-arguments set forth above, regarding claim 1. Second, the Kumar abstract discusses database storage of event data structures. The use of database tables is well known in the art, and therefore Kumar teaches the recited claim language.

Regarding claim 8, Applicant argues on page 10 that: 1) the claim is allowable for the reasons argued regarding claims 1 and 7; and, 2) the references do not teach detecting changes to the database data.
The Office respectfully disagrees, noting that the references as a whole teach the claimed subject matter. First, the Office re-asserts the counter-arguments set forth above, regarding claims 1 and 7. Second, at least the cited Yalamanchi reference teaches in paragraph [0107] the detection of database load and insert operations.

Regarding claim 12, Applicant argues on pages 10-11 that: 1) the claim is allowable for the reasons argued regarding claims 1 and 7; and, 2) the cited Kumar GUI Figures are not a "database view", and Kumar doesn't teach the use of a dynamic or virtual database container.
The Office respectfully disagrees, noting that the references as a whole teach the claimed subject matter. First, the Office re-asserts the counter-arguments set forth above, regarding claim 1. It is noted that claim 12 does not depend upon or explicitly recite the limitations of claim 7. Second, the claim language merely recites access to a database view, which the GUI Figures of Kumar suggest. Additionally, the claim language does not recite a requirement for a dynamic or virtual database container, and thus Kumar need not be cited for such teachings in the current rejection.

Regarding the dependent claims, Applicant argues on page 11 that these claims are allowable for the reasons argued regarding claim 1. The Office respectfully disagrees, noting that the references as a whole teach the claimed subject matter. The Office re-asserts the counter-arguments set forth above, regarding independent claim 1.

Therefore, the Office maintains the rejections set forth in the previous Action.